



STAFF REPORT

To: Snyderville Basin Planning Commission (SBPC)
Report Date: Thursday, October 7, 2010
Meeting Date: Tuesday, October 12, 2010
Author: Adryan Slaght, County Planner
Title: Newpark-100-Unit Multi-Family Housing Proposal – Final Site Plan, Plat
Type of Item: Public Hearing
Future Routing: Summit County Council (public hearing)

EXECUTIVE SUMMARY: The Newpark Corporation is requesting approval of a proposed Final Site Plan and Plat Amendment for a 100-unit Multi-Family Housing Development on the site of the previously approved Newpark Flats and Cottonwood III projects. The proposal consists of one 4-story and three 3-story buildings, with a total of 95,513 square feet between the buildings. The buildings are anticipated to have a maximum height of 38 ft for the 3-story buildings, and a maximum height of 48 ft for the 4-story building. This proposal would use all of the remaining density allocated to the Newpark development, with the exception of the Newpark Southside project. **Staff is recommending that the SBPC conduct a public hearing, and vote to forward a positive recommendation to the Summit County Council on the Plat Amendment and Final Site Plan.**

A. **Project Description**

- **Project Name:** Newpark Multi-Family Housing Project
- **Applicant(s):** Newpark Corporation – Marc Wangsgard/Chris Retzer
- **Owner(s):** Newpark Corporation
- **Location:** 1389 Center Dr, Newpark - South of the Basin Recreation District Fieldhouse, north of the Newpark Hotel
- **Zone District:** Town Center (Redstone Parkside SPA)
- **Adjacent Land Uses:** Office Building, Basin Rec Fieldhouse, Residential, Hotel
- **Existing Uses:** Vacant Lot
- **Parcel Number(s) & Size:** NPRK-P, 0.47 acres; NPRK-V-2-2AM, 2.13 acres; NPRK-RP, 0.67 acres; NPRK-V-1-AM, 0.33 acres

B. **Community Review**

This item is the continuation of a public hearing held on September 28, 2010, and has been noticed as such. In order to be approved, a public hearing before the SBPC and the County Council will be required.

At the September 28 meeting of the SBPC, one member of the public spoke to the Commission regarding concerns with traffic flow, waste management, and lack of communication from the developer. A letter had also been submitted to the SBPC from Cottonwood Partners outlining concerns related to the proposed building materials and architectural details for the project (*Exhibit xx*).

According to the DA, Final Site Plans and Final Subdivision/ Condominium Plats are required prior to the development of each parcel and shall first be reviewed by the Design Review Committee (DRC). The DRC consists of County planning staff, Planning Commission members chosen to represent the Planning Commission, and representatives of the Developer. The DRC was established to allow a more detailed, intense, and interactive review of the projects. DRC meeting attendees included Mike Washington, Julie Hooker, Adryan Slaght, Amir Caus, Marc Wangsgard, Jim Doilney, and Chris Retzer. The DRC met on March 16, March 29, and April 14, 2010 to consider the proposal to use the previously approved Newpark Flats/Cottonwood Site (NPRK-P) for a 100-unit multi-family residential project. The DRC reviewed and approved the proposed land use, building architecture, and site design.

On April 27, 2010, the applicants appeared before the SBPC for a work session. Discussion focused on traffic impacts, affordability requirements, the viability of a transit center in the vicinity, and the concentration of affordable units within the area (see Exhibit G).

On September 28, 2010, the applicants appeared before the SBPC for a public hearing on the proposed apartments. Discussion items included the ability of Park Lane to function with 90° parking, whether or not the balconies should be enclosed, concerns expressed in the letter from Cottonwood Partners, lack of discussion with surrounding property owners, traffic and parking concerns, waste management, and the need to review the traffic study.

Staff has asked the County Engineering Department for an opinion on the functionality of Park Lane, but one was not available as of the date of this report. Any information gained from the Engineering Department will be provided to the SBPC at or prior to the meeting on the 12th.

D. Identification and Analysis of Issues

The following potential issues were outlined for the April 27th and September 28th meetings. These issues did not generate significant discussion during the public hearing on the 28th.

Height/Architecture/Massing

The DRC expressed no concerns about the proposed architecture or height of the proposed buildings. According to the DA, "*Buildings shall not exceed 45' in height unless specified elsewhere in the SPA Book of Exhibits without DRC review and approval.*" The proposed four-story building will be ~48 ft tall, which the DRC approved.

Parking

The proposal includes 223 parking stalls, including 45 garage spaces, 55 car ports, and 123 surface parking stalls on and adjacent to the site. The previous approval included 141 surface parking stalls, as well as 41 additional stalls available on Parcel S (Basin Rec) for daytime parking, per a parking agreement. The original Newpark Flats parking proposal consisted of 30 spaces within the building, as well as shared parking with Rossignol for a total of 170 spaces.

2. All Service Provider requirements must be met prior to Final Site Plan and plat recordation.

Attachment(s)

Exhibit A – Zoning Map

Exhibit B – Aerial Photograph(s)

Exhibit C – Proposed site plan & elevations

Exhibit D – Newpark Land Use & Density Chart

Exhibit E – Newpark public plazas & spaces, & pedestrian connectivity

Exhibit F – Sections 6.5.4 and 6.6 of the Redstone Parkside/Newpark DA

Exhibit G – Site Photos

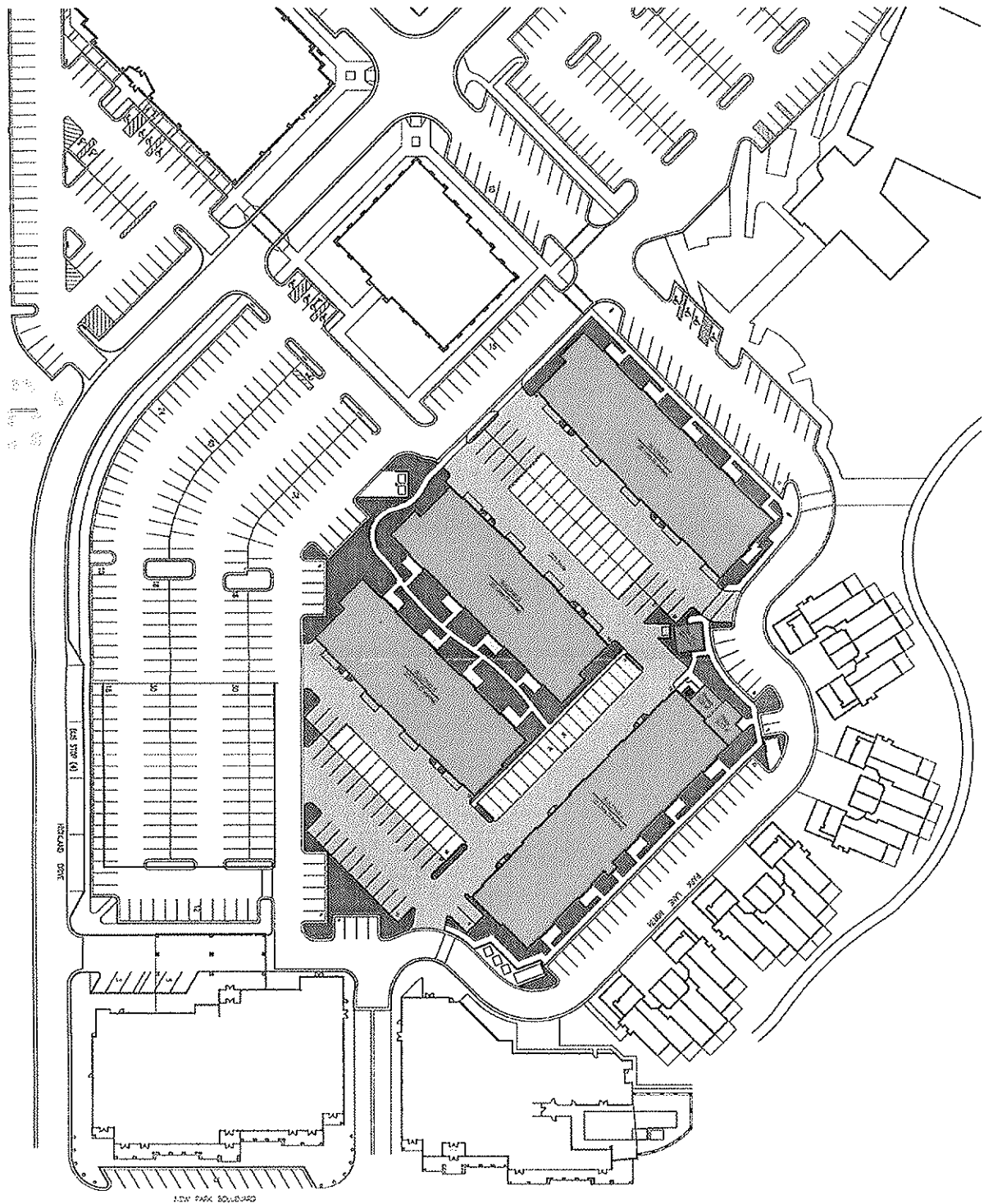
Exhibit H – Minutes of the April 27, 2010 meeting of the Snyderville Basin Planning Commission

Exhibit I – Horrocks Engineers Parking Report, dated May 14, 2010

Exhibit J – Newpark Parcel V Subdivision, 3rd Amended Plat

Exhibit K – Map of noticing area

Exhibit L – Letter from Cottonwood Partners, dated September 28, 2010

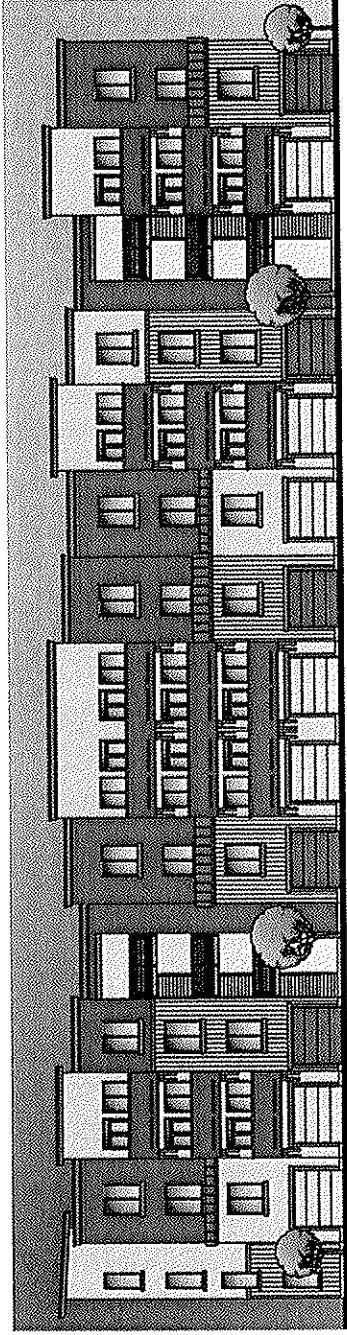


OVERALL SITE PLAN

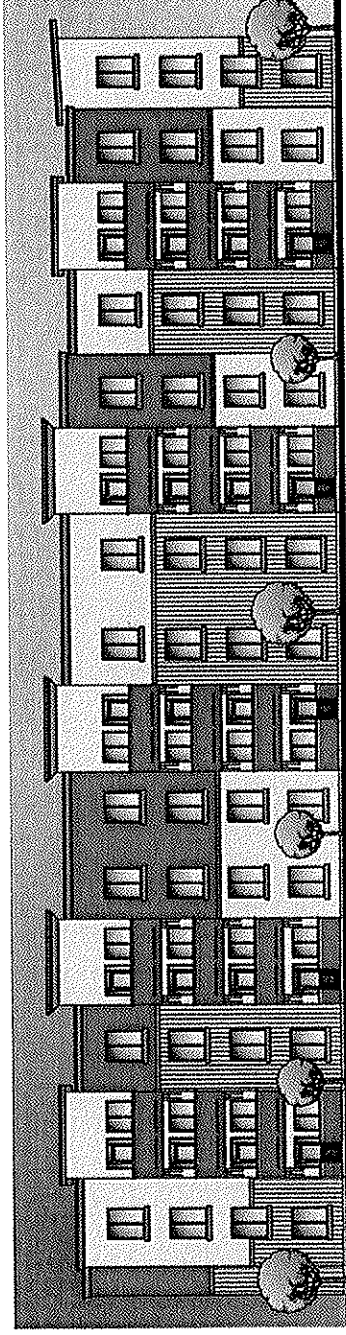
Yellow = Car ports

3/16/10

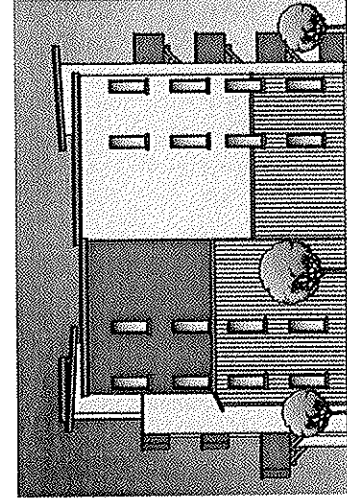
Exhibit C.1



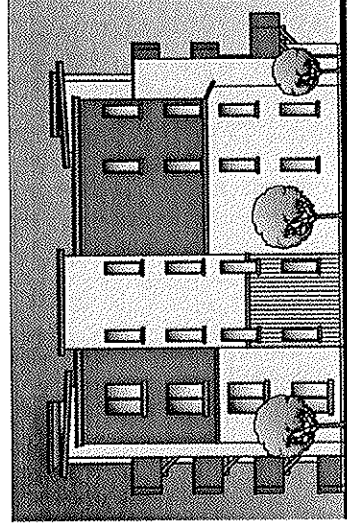
Building - South Elevation



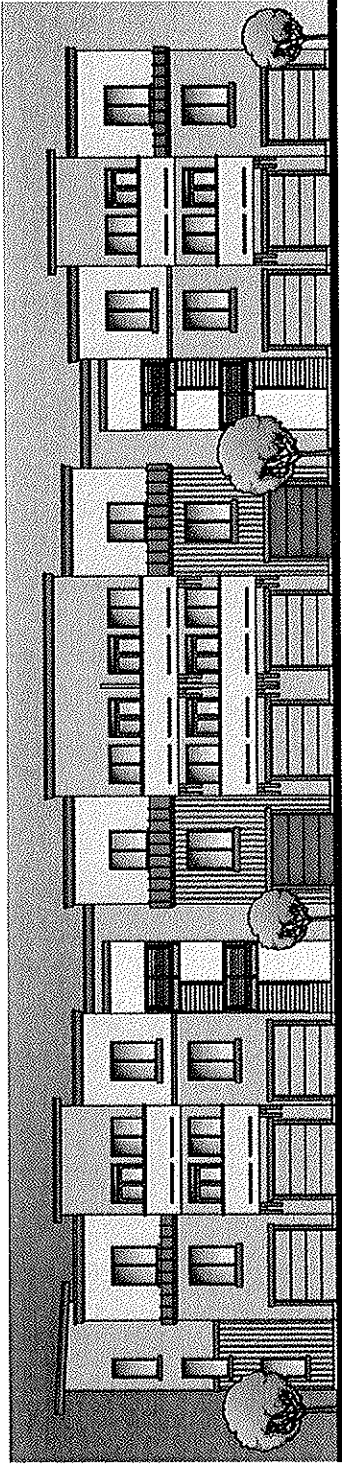
Building - North Elevation



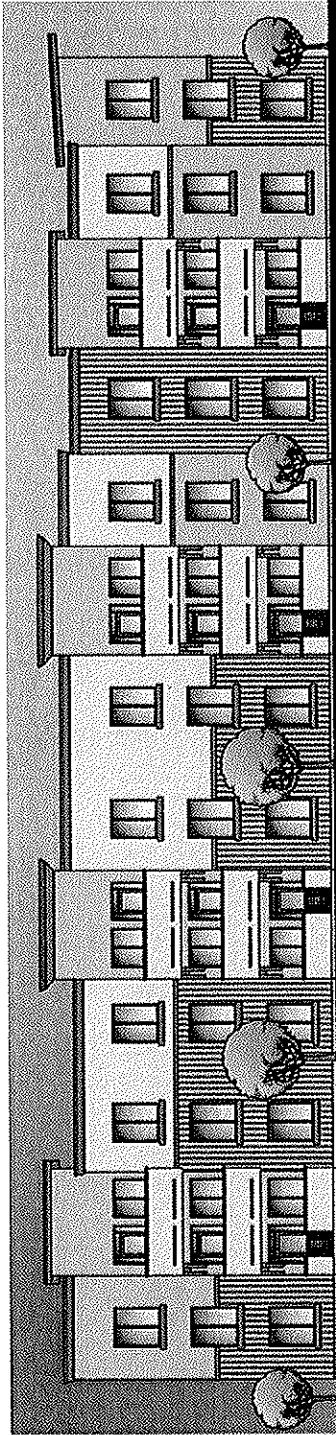
Building - East Elevation



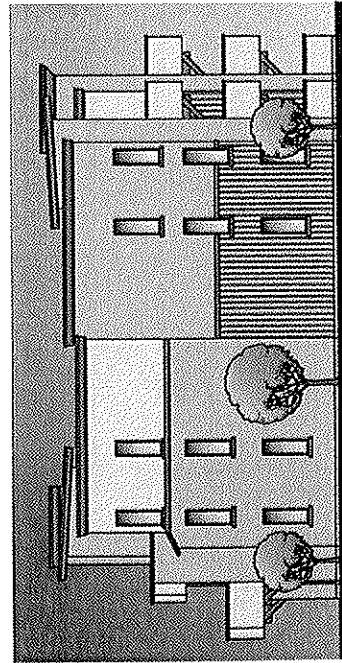
Building - West Elevation



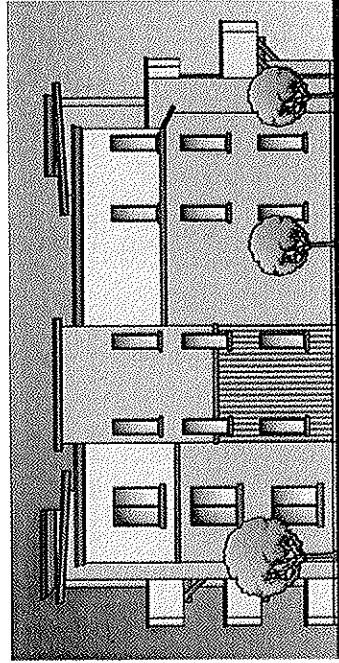
Building 3 - Rear Elevation



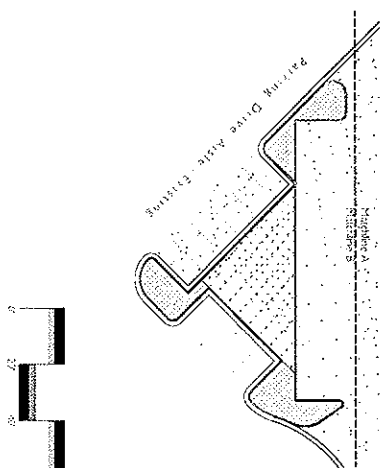
Building 3 - Front Elevation

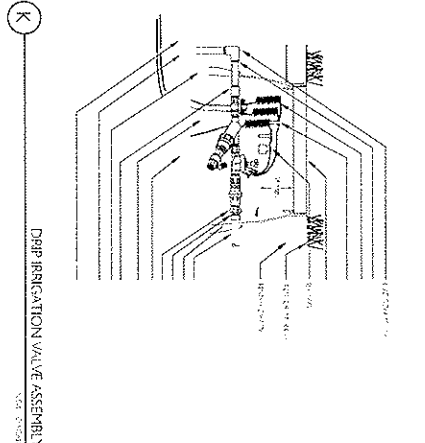
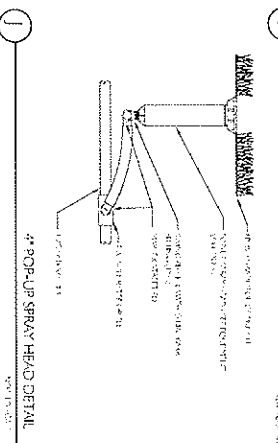
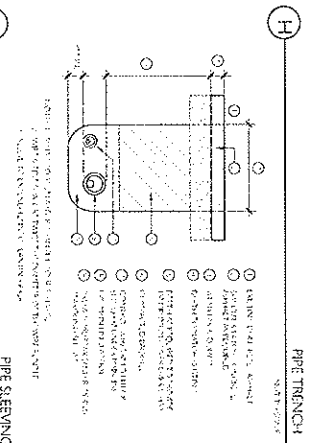
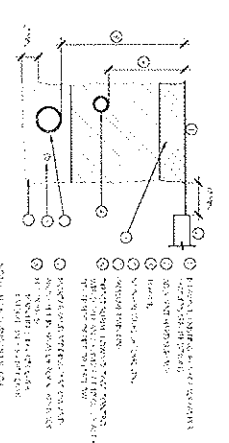
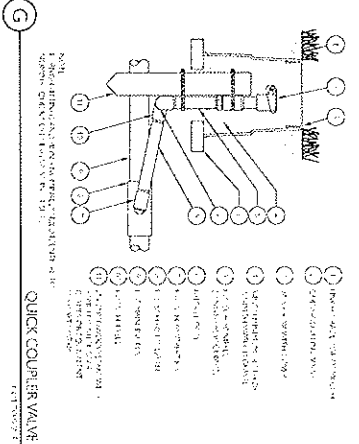
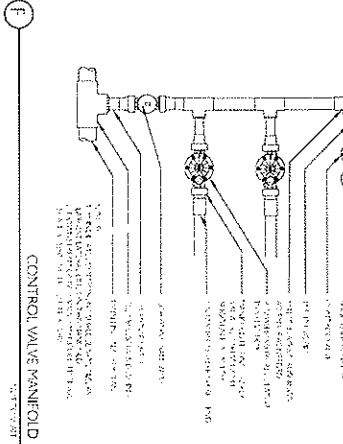
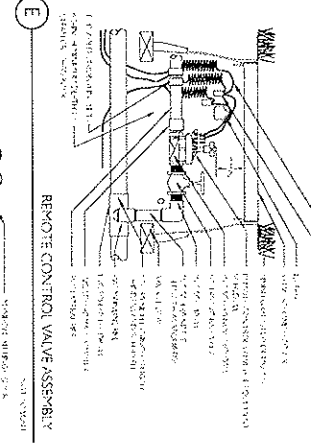
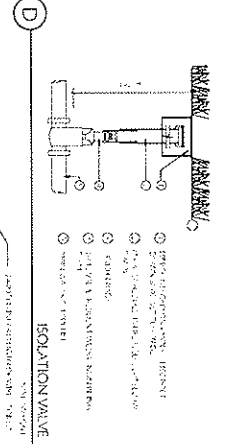
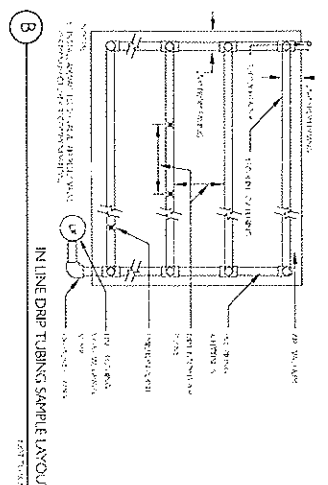
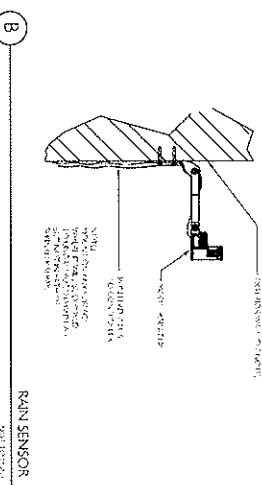
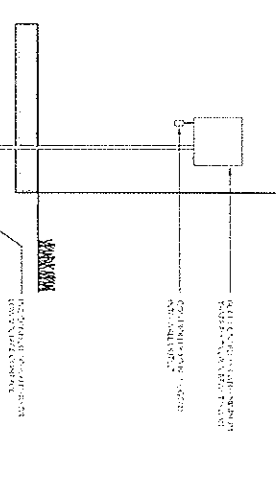


Building 3 - Side Elevation



Building 3 - Side Elevation





DRIP IRRIGATION NOTES

1. Drip irrigation is a highly efficient method of watering plants. It delivers water directly to the roots of the plants, reducing water loss due to evaporation and runoff.
2. The mainline pipe should be installed at a depth of 12 inches below the ground surface. The drip tubing should be installed at a depth of 4 inches below the ground surface.
3. The drip tubing should be installed in a zig-zag pattern, with the emitters spaced 12 inches apart.
4. The emitters should be tested for proper operation before the system is put into service.
5. The system should be flushed regularly to prevent clogging of the emitters.
6. The system should be winterized by draining the water from the pipes and tubing.
7. The system should be inspected regularly for leaks and other problems.
8. The system should be adjusted to provide the correct amount of water to the plants.
9. The system should be installed in a way that it does not interfere with other landscaping or structures.
10. The system should be installed in a way that it is easy to maintain.
11. The system should be installed in a way that it is safe for the plants and the people who use the area.
12. The system should be installed in a way that it is aesthetically pleasing.
13. The system should be installed in a way that it is cost-effective.
14. The system should be installed in a way that it is environmentally friendly.

IRRIGATION NOTES

1. The mainline pipe should be installed at a depth of 12 inches below the ground surface.
2. The drip tubing should be installed at a depth of 4 inches below the ground surface.
3. The drip tubing should be installed in a zig-zag pattern, with the emitters spaced 12 inches apart.
4. The emitters should be tested for proper operation before the system is put into service.
5. The system should be flushed regularly to prevent clogging of the emitters.
6. The system should be winterized by draining the water from the pipes and tubing.
7. The system should be inspected regularly for leaks and other problems.
8. The system should be adjusted to provide the correct amount of water to the plants.
9. The system should be installed in a way that it does not interfere with other landscaping or structures.
10. The system should be installed in a way that it is easy to maintain.
11. The system should be installed in a way that it is safe for the plants and the people who use the area.
12. The system should be installed in a way that it is aesthetically pleasing.
13. The system should be installed in a way that it is cost-effective.
14. The system should be installed in a way that it is environmentally friendly.

Blake McCutchan
ATTORNEY AT LAW
1477 South Main Street
Salt Lake City, UT 84143
801.525.1234



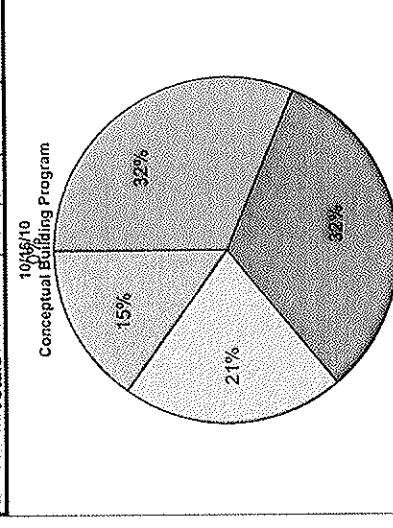
Newpark Parcel P - Apartment
Newpark Town Center
xxxxxx
Park City, Utah

LI.4
Irrigation
Details

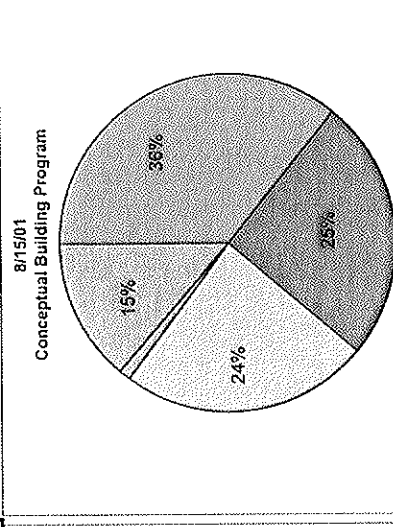
STEP #11				
Amended Newpark Hotel Plat, January 14, 2008				
Conceptual Building Program	Density	%	Sub totals	
Newpark Terraces	71,984	9%		
Rossignol Corporate Headquarters	30,984	4%		
Newpark Flats Resort Residential	31,865	4%		35%
Cottonwood Partners Corporate Office	62,091	8%		
Newpark Hotel, Resort Residential	92,416	11%		
Newpark Brownstones	35,856	4%		
Newpark Southside	37,435	5%		26%
Affordable Housing	20,240	2%		
Newpark Townhomes Primary/Resort Res	116,084	14%		
Newpark Retail, Center Dr.	131,633	16%		
Newpark Flats: Retail/Office	5,162	1%		22%
Zion's Bank	9,750	1%		
Newpark Hotel: Retail & Commercial	33,512	4%		
Swaner Nature Preserve	9,880	1%		
SBSRD	112,000	14%		15%
Transit	N/A	N/A		
Remaining Density	18,458	2%		2%
Totals	819,360	100%	100%	

The Amended Newpark Hotel plat, recorded January 14, 2008 added 3,058 SF of retail/commercial space and subtracts 656 SF of resort residential. The revised square footages reflect design changes since the original plat recordation on January 12, 2006, such as expanding the retail space to the south to eliminate most of the covered walkway. There is a net reduction in the Remaining Density of 2,402 SF.

STEP #12				
Newpark Apartments (Flats, Southside, Brownstones), February 3, 2010				
Conceptual Building Program	Density	%	Sub totals	
Newpark Terraces	72,638	9%		
Rossignol Corporate Headquarters	30,984	4%		
Newpark Flats Resort Residential	0	0%		32%
Cottonwood Partners Corporate Office I	62,091	8%		
Newpark Hotel, Resort Residential	92,416	11%		
Newpark Flats Apartments	95,513	12%		
Newpark Southside	33,026	4%		32%
Affordable Housing	20,240	2%		
Newpark Townhomes Primary/Resort Res	116,084	14%		
Newpark Retail, Center Dr.	131,218	16%		
Newpark Flats: Retail/Office	0	0%		21%
Zion's Bank	9,750	1%		
Newpark Hotel: Retail & Commercial	33,512	4%		
Swaner Nature Preserve	9,880	1%		
SBSRD	112,000	14%		15%
Transit	N/A	N/A		
Remaining Density	0	0%		0%
Totals	819,360	100%	100%	



Corporate Office/Resort Residential
Residential (Resort)
Townhomes (Flats)
Retail/Commercial
Swaner Nature Preserve
Institutional: USSA



Newpark Flats Apartments would absorb any remaining density.

Changed Areas

Increased 652 SF to reflect final architecture

Less 31,865 SF. Residential converted to Rental Housing.

Estimated. Plus 59,657 SF. Resort Residential converted to Rental Housing.

Less 4,409 SF. Residential converted to Rental Housing.

Less 415 SF to reflect final architecture

Less 5,162 SF. Retail/Office converted to Rental Housing.

Pedestrian Connectivity

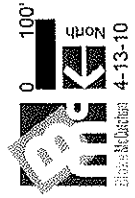
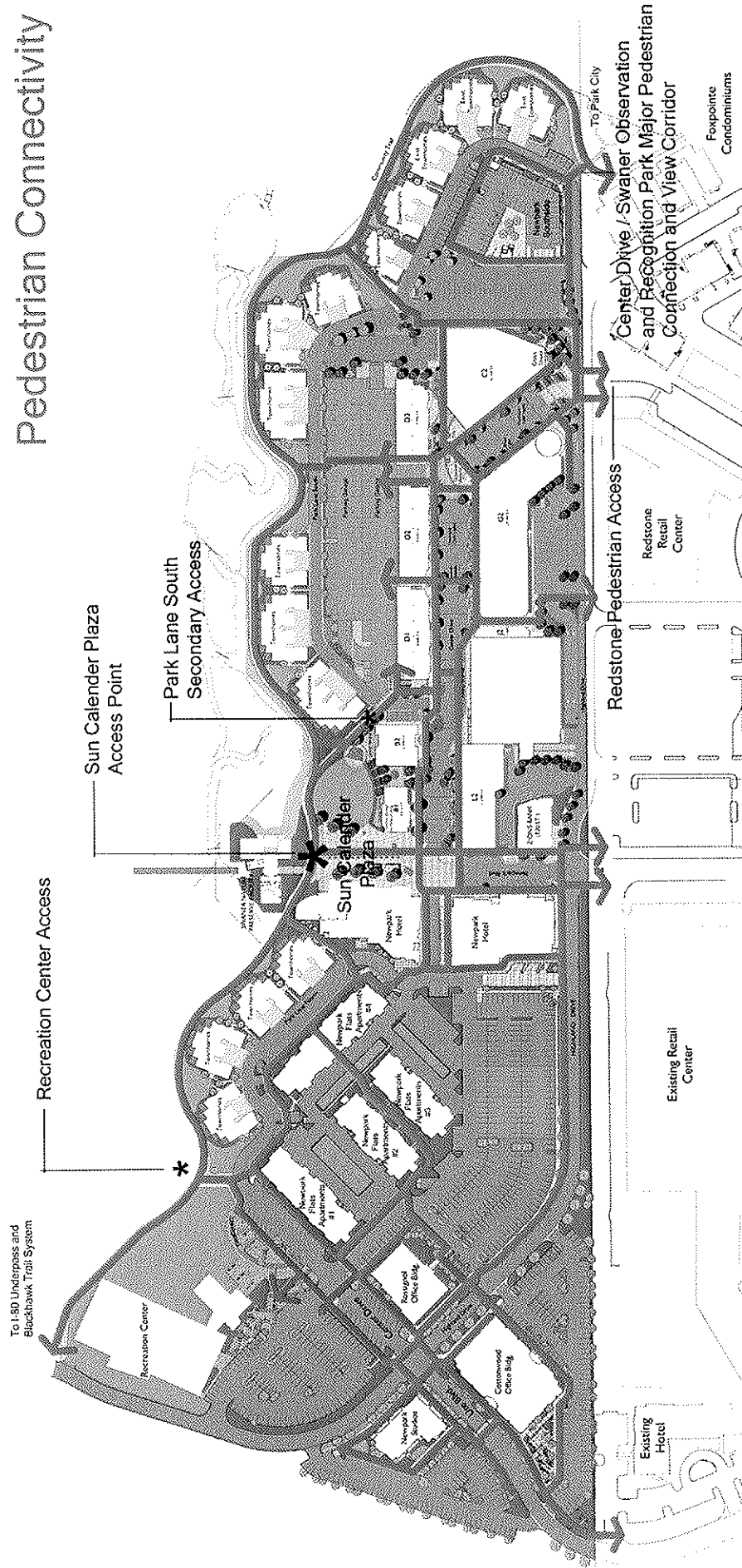


Exhibit F

6.5.4

Board of County Commission Approval of Final Subdivision Plats and Final Condominium Plats.

After receipt of the Planning Commission's recommendation, the Commission shall, after holding a public hearing noticed in accordance with the requirements of the Code, render a decision approving, denying or conditionally approving the final subdivision or condominium plat. The decision shall be based solely upon the Developer's compliance with the requirements and standards set forth in this Development Agreement and the Code. The Commission shall execute the final plat. This shall be the final decision of the County. Nothing herein shall allow the Code, or any amendment or restatements of the Code, to modify or amend the vested rights created in this Development Agreement, except as provided for in this Development Agreement.

6.6

Approval of Final Site Plans.

Approval of detailed development layout, architecture, landscaping, lighting and other development details of the Project shall occur within a reasonable period of time. To accomplish this, the Director will include RedStone Parkside on the agenda of the first meeting each month for the Planning Commission and County Commission. This process is in harmony with the schedule agreed to between the County and Developer in the "Density Transfer Agreement", dated February 21, 2001, a copy of which is attached as Exhibit G to the Book of Exhibits. The approvals will follow a three step process. First the plans shall be submitted and approved by a design review committee established in accordance with the SPA Plan Book. Second, the plans shall be submitted and approved by the Planning Commission. Third, the plans shall be submitted and approved by the Board of County Commissioners. It is acknowledged that a project of this scope and size will likely take several years to reach full completion and occupancy. Market conditions and demands for particular uses within the project may change between the time final site approvals are rendered and the time the buildings are available for absorption into the market. Consequently, changes to any prior approved site layouts, architecture, landscaping, etc. are allowed. Any such changes will be submitted to the Design Review Committee, Planning Commission and County Commission following the process set forth for obtaining the initial approval. Site plan review shall include: 1) final site layout for conformance with the intent of the preliminary site plans approved in this Development Agreement; 2) all architectural design details; 3) landscape; 4) exterior and site lighting; and 5) specific programs for amenities, trails, parks, public art, and other related improvements and facilities as required in this Development Agreement. In the event of a procedural conflict between the Code and this Development Agreement, the provisions of this Development Agreement shall govern. The decision of the Commission shall be the final decision of the County. The decision of the Commission shall be based upon the Developer's compliance with the requirements and standards set forth in this Development Agreement and the criteria required under Chapter 4 of the Code. Any appeal shall follow the provisions of Section 6.5.6 of this Development Agreement.



Exhibit E.2

applicant, explained that in the past they have been asked to conduct a traffic study to be sure the internal roads are designed to handle the traffic flow of the project. Traffic impacts outside the project were addressed at the time of the SPA approval.

Planner Slaght reported that the Design Review Committee (DRC) has met several times and approved the maximum height for Building 1 at 48 feet. They do not have any concerns about the proposed massing or architecture. Parking would include 223 stalls, including adjacent cross parking. The previous approval provided for 141 stalls on the site and 41 on an adjacent site. The DRC believes this proposal fits within the proposed ratios when the development agreement was initially approved. The applicant has provided a pedestrian circulation plan and community benefits as shown in the staff report. Planner Slaght provided an aerial view of the site and the proposed site plan. Planner Slaght stated that the applicant is seeking feedback on the proposal, which will require public hearings in the future.

Mr. Wangsgard noted that statements in the development agreement allow flexibility to change the uses from office to residential, retail to residential, etc. There are limits to that to prevent making changes that are so significant that they would upset the nature of a town center. Each time they have brought a project for approval, they have met with the DRC to verify that they are in compliance with the uses in the SPA. The DRC has also made certain that the design of the project fits within the Town Center and County standards. He explained that they started this project with a market study, which showed that there was an insufficient supply of rental units in the 60%-70% of AMI range, and designed around the needs shown by the study. He clarified that this is not a true affordable housing product, as it will not have the deed restriction requirements of an affordable housing project. This project will replace two prior approved projects, and if approved, they will be close to wrapping up the entire SPA. From a traffic standpoint, the applicant believes this is a good place for this type of project due to the proximity to mass transit. Mr. Wangsgard commented that the parking demand has been less than the developer anticipated, which he believed was attributable to the good job the County has done with the transit system.

Chris Retzer, the co-applicant, reported that they met with the DRC three times, and the main achievement was an agreement on the height of the four-story building. He stated that, if this area were left to be developed as the Flats and Brownstones, it would be several years before the area would be built and absorbed in the market. Currently, there is a big shortage of rental housing in the market and aggressive financing through HUD and the federal government to facilitate this kind of housing. Mr. Retzer reviewed a list of the benefits of multi-family housing to the community and to the town center. He compared the features of the Flats and the Brownstones with the current proposal and noted that heights of the neighboring buildings range from 33 to 66 feet. He discussed what had been done to create pedestrian connectivity and public spaces and plazas. He reviewed the architecture and materials and compared them with the existing buildings.

Commissioner Washington expressed concern about traffic connectivity from the Basin Recreation District building to Main Street. He questioned whether the street in front of the

Exhibit E.4

because this is a SPA, the Commission made a conscious decision under the CORE that they would not cluster affordable housing in large quantities. She felt that they need a clear understanding of what is proposed for affordable housing, how it will fit with the needs assessment, and how it can be guaranteed that it will meet the basic needs in the future. She requested that the applicant research and provide answers to those issues. She stated that she would be more supportive of the project if they could keep it affordable for the long term.

Table 1 Trip generation for original site plan

Variable	Quantity	Monday-AM Peak Hours (8:00-9:00)			Monday-PM Peak Hours (4:00-5:00)		
		Trips	In	Out	Total	In	Out
Newpark Flats - Condos (230 Residential Condominium/Townhouse)		17%	83%			67%	33%
Units	30	20	4	16	22	15	7
Brownstone - Townhomes (230 Residential Condominium/Townhouse)		17%	83%			67%	33%
Units	28	18	3	15	21	14	7
Newpark Flats - Office/Retail (814 Specialty Retail Center)		56%	44%			49%	51%
1000 Sq. Feet GFA	5	27	15	12	33	16	17
Total Trips		64	7	31	77	29	14

Table 2 Trip generation for new proposed site plan

Variable	Quantity	Monday-AM Peak Hours (8:00-9:00)			Monday-PM Peak Hours (4:00-5:00)		
		Trips	In	Out	Total	In	Out
Newpark Flats - Apartments (221 Low-Rise Apartment)		21%	79%			65%	35%
Units	100	55	12	43	68	44	24
Total Trips		55	12	43	68	44	24

Parking Demand

ITE also provides parking generation information in the ITE Parking Generation Manual (3rd edition). Similar to the ITE Trip Generation Manual, the ITE Parking Generation Manual provides fitted curve equation and average parking demand rates for specific land use types at different times of the day. In addition to this information the 85th and 33rd percentile parking generation rates are provided. Explanatory variables for parking generation are generally the same as those for trip generation. In order and to ensure adequate parking spaces to meet the projected parking demand for the proposed development, the 85th percentile generation rate was applied.

As with trip generation, it is advisable to calculate parking demand at various times of the day and different days of the week. This is particularly important in cases where land uses create differing demands at certain times or on certain days as is the case with a shopping center or office building.

The parking demand for the condominiums and townhomes is 91 stalls with the peak demand hours being between 6pm and 6am every day where 100% stall occupancy is assumed. For the Newpark Flats office and retail building 18 stalls would be required to meet the maximum demand which would occur from 8am to 5pm every day of the week assuming 100% occupancy at these times. The total parking demand for the original development is **109 parking stalls**. These findings are shown in **Tables 3 and 4**.

Table 3 Original development parking demand

Variable	Quantity	Parking Stalls
		Weekday/Saturday
Newpark Flats - Condos (230 Residential Condominium/Townhouse)		
Units	30	44
Brownstone - Townhomes (230 Residential Condominium/Townhouse)		
Units	28	47
Newpark Flats - Office/Retail (701 General Office Building/820 Shopping Center)		
1000 Sq. Feet GFA	5	18
Total Stalls		109

Table 4 Original development parking demand by time

Land Use	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
	8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
Newpark Condos	26	44	44	35	44	44
Brownstone Townhomes	28	47	47	38	47	47
Newmark Office/Retail	18	14	1	18	13	1
Total	73	105	92	91	104	92

[illegible]

PLATNOTES

- [illegible]

[illegible][illegible][illegible]

OWNER'S DEDICATION AND CONSENT TO RECORD:
THE SIGNED OWNER OF THE TRACT OF LAND HEREIN MAY BE CLAIMED HAS GRANTED AND THE SIGNED WITNESSES AGREE TO GRANT AND DOES CONSENT TO THE RECORDATION OF THE TRAIL.

THE JOURNAL OF INVESTIGATIVE AND FORENSIC MEDICINE, 10(4), 262-264 (1998)

ON THIS _____ DAY OF _____, 2014, PERSONALLY APPEARED AT COURT, JAMES W. MCGILL, CO-OWNERS/CO-OPERATORS OF ALUMINUM CONSTRUCTION AND EFFECTED THE FOREGOING OATHS DEPOSITED AND CONSENT TO RECORD.

COURT OF SUMMIT 132

ON THE 11th DAY OF APRIL 1984, THE COURT GRANTED TO A PERSON
IDENTIFIED AS "JOHN J. HARRIS" A WRIT OF HABEAS CORPUS TO
RECOVER HIS PERSONAL PROPERTY AND TO RETURN HIM TO THE
COURT RECORDS.

Abstract

6.0000 10.118g Amount 94.13g Weight 87.5

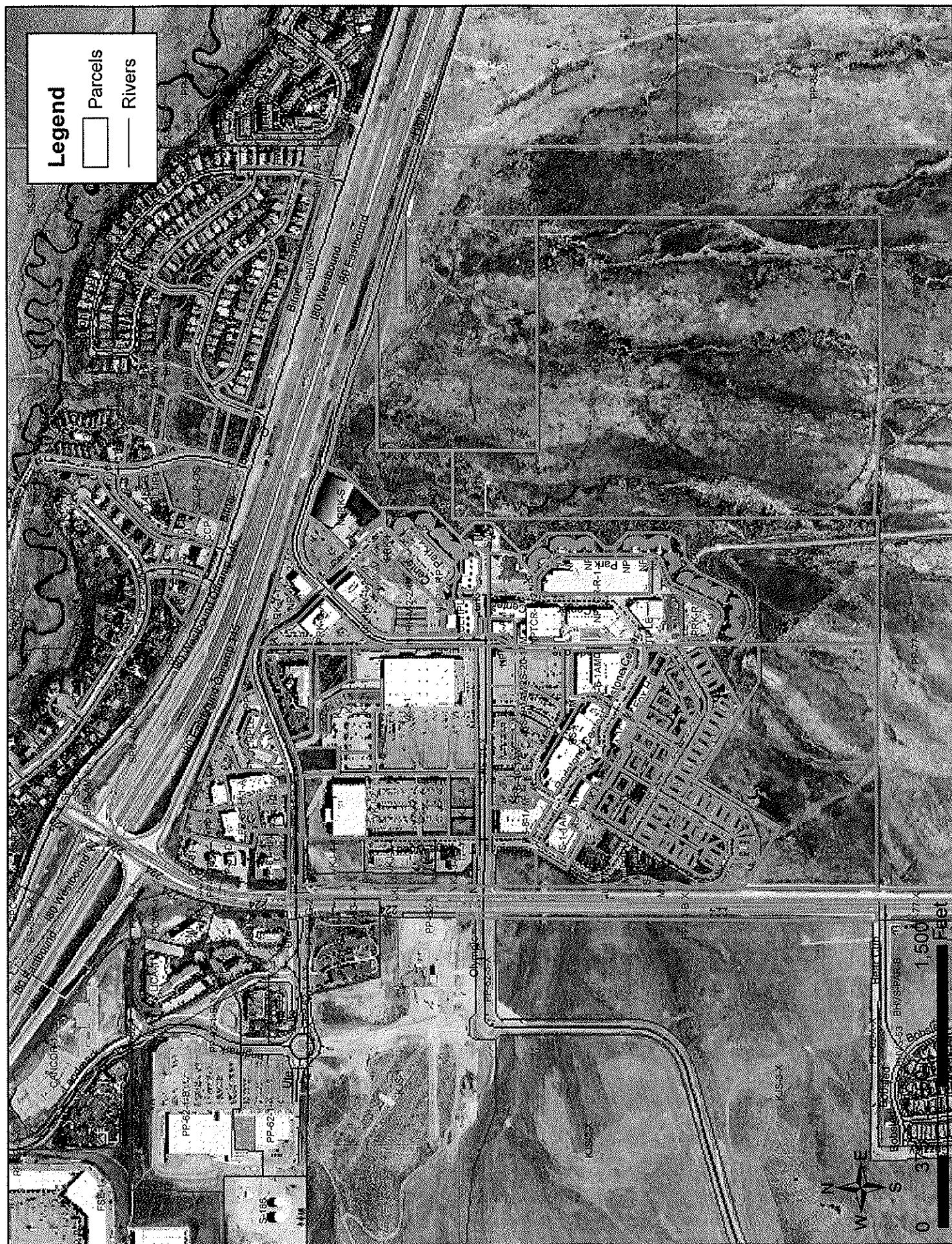
WELL'S FLOCCO MARK

[illegible]

SHEET 1 OF 2

McNEIL GROUP

2007-02-28



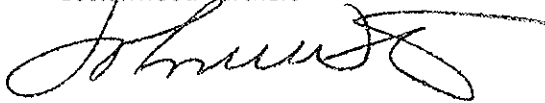
Summit County Planning Commission
Adryan Slaght
September 28, 2010
Re: Newpark Flats Apartments
Page 2

6. Use Hardiplank or a similar material for the parapet cap to be consistent with the fascia on the shed roofs, rather than using an inexpensive sheet metal cap.

We feel that these inexpensive changes will enhance the character of these buildings and make them more consistent with the original design intent of this part of the Town Center. We appreciate your careful consideration of these recommendations.

We have not had the opportunity to fully evaluate parking impact. We assume that the Planning Commission will ensure that the Newpark Flats Apartments project will not interfere with Cottonwood's office parking. We will further evaluate parking before this project is presented to the County Council.

Sincerely,
Cottonwood Partners



John L. West
President and CEO

Cc: Marc Wangsgard, Newpark Corporation
Jim Doilney, Newpark Corporation
Chris Retzer, Newpark Corporation
Jeff Gochnour, Cottonwood Partners
Steven Baer, Cottonwood Partners

REAL ESTATE INVESTMENT, DEVELOPMENT & MANAGEMENT

2855 EAST COTTONWOOD PARKWAY SUITE 500 SALT LAKE CITY, UTAH 84121
TEL 801 505 6300 FAX 801 365 6201 WWW.COTTONWOODPARTNERS.COM